

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

Criminal No. 04-10195-PBS

MICHAEL PINA and DANIEL GOMES

## NOTICE OF INITIAL STATUS CONFERENCE

August 2, 2004

SWARTWOOD, M.J.

1. Unless counsel inform the Court in a Joint Memorandum in accordance with LR 116.5(C) on or before **Wednesday, September 8, 2004**, that there is no need for an initial status conference, such a conference will be held on **Monday, September 13, 2004, at 2:30 p.m.**, in Courtroom No. 1 on the Fifth Floor, United States District Court, Worcester, MA. If the Joint Memorandum is not filed with the Court on or before **Wednesday, September 8, 2004**, then the parties must appear for the initial status conference either in person or by telephone.<sup>1</sup>

2. If counsel feel that there is need for an initial status conference, then on or before the close of business on **Wednesday, September 8, 2004**, counsel shall inform my Courtroom Clerk as to whether they want the status conference to be conducted in person or by telephone .

3. ORIGINALS OF ALL MOTIONS, MEMORANDUMS, PLEADINGS, ETC. MUST BE FILED WITH THE COURT (INCLUDING ELECTRONIC FILING). NEITHER FAXES NOR E-MAIL FILINGS WILL BE ACCEPTED.

CHARLES B. SWARTWOOD, III  
UNITED STATES MAGISTRATE JUDGE

1 Defendants are not required to be present at the Initial Status Conference. Inasmuch as this court concludes that the Initial Status Conference is not a critical proceeding within the meaning of Rule 43, F.R. Crim. P., defendants in custody will **not** be transported to court for the Initial Status Conference absent a showing of exceptional cause on motion duly filed in advance of the Initial Status Conference, See 43(c)(3), F.R. Crim. P.